



I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
RCE  
Dated: 04/28/08 Signature: Scott Whittemore  
(Scott Whittemore)

Docket No.: BSWV-P01-008  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Patricia Lynne Conway

Application No.: 10/526,580

Confirmation No.: 3799

Filed: September 12, 2005

Art Unit: 1651

For: PROBIOTIC BACTERIUM:  
LACTOBACILLUS FERMENTUM

Examiner: Irene Marx

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

DECLARATION FOR DEPOSIT OF BIOLOGICAL MATERIAL

Sir:

I, Stuart Craig, on behalf of Probiomix Limited, (assignee of the above mentioned application), hereby state that:

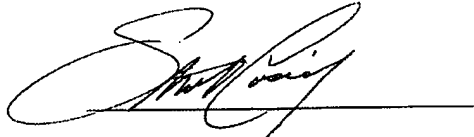
1. A deposit of the claimed bacterial strain (*Lactobacillus fermentum* VRI003) was made at and accepted by the International Depositary Authority on August 27, 2002 under the Budapest Treaty on the international Recognition of the Deposit of Microorganisms for the purpose of Patent Procedure (e.g., see 961 OG 21, 1977).
2. The deposited material has been accorded a specific accession number: NM02/31074.
3. All restriction on the availability to the public of the material so deposited will be irrevocably removed upon the granting of a patent.
4. The deposited material will be maintained with all the care necessary to keep it viable and uncontaminated for a period of at least five years after the most recent request for the furnishing of a sample of the deposited microorganism, and in any case, for a period of at least thirty (30) years after the date of deposit for the enforceable life of the patent, whichever period is longer.
5. The undersigned declares further that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further that

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these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of any patent issuing on the referenced application.

Date: 16 APRIL 2008

A handwritten signature in black ink, appearing to read "Stuart Craig", written over a horizontal line.

Mr Stuart Craig  
CEO  
Probiomics Limited  
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